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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,883	01/07/2000	JOSEPH M. CANNON	CANNON-94-85	2313

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EXAMINER

TRINH, SONNY

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 07/23/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/478,883

Applicant(s)

CANNON ET AL.

Examiner

Sonny TRINH

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 11-16, 21-36, 42-46, 51-66, 72-76 and 81-90 is/are rejected.
- 7) ☒ Claim(s) 7-11, 17-20, 37-41, 47-50, 67-71 and 77-80 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) **ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).**
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1-2, 31-32, 61-62** are rejected under 35 U.S.C. 102(e) as being anticipated by Yokota ("Yokota"; U.S. Patent Number 6,058,320).

Regarding **claim 1**, Yokota discloses a device (e.g. "portable transceiver" see column 1 line 45 to column 2 line 38) for connecting a power supply to a rechargeable device (inherent so that the portable transceiver can be recharged) comprising:

a detection unit adapted to detect power levels of a battery and further adapted to output a first signal when a low power level of the battery is detected; and a power control unit adapted to receive the first signal and further adapted to disconnect circuitry from the battery (column 2 lines 12-38).

Regarding **claim 2**, Yokota further discloses that the low power level comprises a power level which is insufficient to power the circuitry (column 2 lines 12-38).

Regarding **claims 31-32 and 61-62**, these claims merely reflect the method and means and opposed to the apparatus of claims 1-2 and are therefore rejected for the same reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 3-6, 12-16, 23-30, 33-36, 42-46, 53-60, 63-66, 72-76, 83-90** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota ("Yokota"; U.S. Patent Number 6,058,320), in view of Villevieille ("Villevieille"; U.S. Patent Number 5,953,650).

Regarding **claims 3 and 5**, Yokota discloses the invention but does not disclose that the power control unit is further adapted to place the circuitry in a first mode when a handset is in an out-of-cradle state or in a second mode when a handset is in an in-cradle state.

In an analogous art, Villevieille teaches a portable mobile radiotelephone architecture. Villevieille further teaches the different mode when the mobile terminal is in the cradle or out of the cradle (figure 5, columns 8-9, see description).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the system of Yokota, the mode set, as taught by Villevieille, so to let the system aware of the condition of the portable terminal in order to set the handset to a hand-free or to a handset mode.

Regarding **claims 4, 6**, the combination of Yokota and Villevieille discloses the invention but does not disclose that the first mode comprises a dormant state nor a

second mode when the device is in an active state. However, placing the portable device in a dormant mode or sleep mode when there is no activity or placing a device in an active mode is well known and widely used in the art and would have been obvious for a person with ordinary skill in the art to do so. The motivation for placing a device in a dormant state is to conserve battery power.

Regarding **claims 12-13**, since Villevieille teaches a cradle (figure 5), the charging contacts are inherent when the handset is connected to a cradle and obviously is adapted to connect the circuitry to a base power supply.

Regarding **claim 14**, the combination of Yokota and Villevieille discloses the invention but does not explicitly disclose that the base power supply comprises a battery. However, supplying the base with a battery is well known and widely used in the art and the examiner takes Official notice of such use so that the base and the handset can communicate with each other when the main power source such as the AC power is disrupted.

Regarding **claims 15-16**, it is inherent in the cradle/charger as disclosed by Villevieille to provide regulated power to the circuitry and also inherent for a handset battery connected to the charging contacts and adapted to receive a charge from the charging contacts.

Regarding **claims 23-26**, the combination of Yokota and Villevieille discloses the invention but does not disclose that the power control unit further comprises a second voltage regulator connected to charging contacts and further adapted to connect the circuitry to the charging contacts when a handset is in an in-cradle state. However, the

use of multiple regulators to regulate multiple voltages is well known and widely used in the field of battery and chargers and would have been obvious for a person of ordinary skill in the art to implement more than one voltage regulators to regulate the different voltages required at different batteries.

Regarding **claim 27**, Villevieille discloses a wireless telephone handset battery (figure 1, battery is within handset 101) but does not disclose a cordless telephone handset battery. However, cordless telephone with base/cradle systems are well known and widely used in the telecommunication system and the Examiner takes official notice of such use in order to expand the communication in a customer premises.

Regarding **claim 28**, Villevieille discloses a wireless telephone handset battery (figure 1, battery is within handset 101).

Regarding **claims 29-30**, the combination of Yokota and Villevieille discloses the invention but does not disclose that the detection unit is further adapted to output the first signal until a sufficient power level is detected nor the indication of whether the battery has been recharged. However, it is well known to have an indication that a sufficient power level is detected and an indication that the battery has been recharged and the Examiner takes Official notice of such indication so let the user aware of when the device should be recharged or when the charge is complete for the convenience to the user.

Regarding **claims 33-36, 42-46, 53-60, 63-66, 72-76, 83-90**, these group of claims merely reflect the method and means and opposed to the apparatus of claims **3-6, 12-16, 23-30** and are therefore rejected for the same reasons.

3. **Claims 21-22, 51-52, 81-82** are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokota ("Yokota"; U.S. Patent Number 6,058,320), in view of Griffin et al. ("Griffin"; U.S. Patent Number 5,898,908).

Regarding **claim 21**, Yokota discloses the invention but does not explicitly disclose that the power control unit further comprises a first voltage regulator connected to the battery.

In an analogous art, Griffin teaches the RF gain enhancement for cellular telephone, with reference to figure 1 and its description, Griffin further teaches a first voltage regulator connected to the battery (figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the system of Yokota, the voltage regulator, as taught by Griffin, in order to regulate and to supply the correct voltage to the battery.

Regarding **claim 22**, since Yokota already disclosed that the battery can be disconnected from the circuitry (column 2), it is obvious that the voltage regulator is further adapted to receive the signal to disconnect the battery from the circuitry.

Regarding **claims 31-32 and 61-62**, these claims merely reflect the method and means and opposed to the apparatus of claims 21-22 and are therefore rejected for the same reasons.

Allowable Subject Matter

4. **Claims 7-11, 37-41, and 67-71** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claims 7, 37, 67**, the prior art provided numerous examples of system for recharging portable devices, but failed to disclose or fairly suggest the specific combination of structural and functional limitations set forth in claims 7, 37, and 67, specifically, the device as claimed further comprising a reset unit adapted to place the circuitry in a first or second mode.

5. **Claims 17-20, 47-50, 77-80** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding **claims 17, 47, 77**, the prior art provided numerous examples of system for recharging portable devices, but failed to disclose or fairly suggest the specific combination of structural and functional limitations set forth in claims 17, 47, 77 specifically, wherein the detection unit is further adapted to output a second signal when a sufficient power level of the battery is detected and the power control unit is further adapted to receive the second signal and to connect the circuitry to the battery.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for formal communications intended for entry, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, 6th Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonny TRINH whose telephone number is 703-305-1961. The examiner can normally be reached on Monday-Thursday and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed URBAN can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7/19/04


SONNY TRINH
PRIMARY EXAMINER